



U.S. Department of Justice

*United States Attorney
Eastern District of New York*

*271 Cadman Plaza East
Brooklyn, New York 11201*

March 9, 2021

FILED UNDER SEAL

By E-mail and ECF

The Honorable Nicholas G. Garaufis
United States District Judge
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: United States v. Chierchio, et al.
Criminal Docket No. 20-306 (NGG)

Dear Judge Garaufis:

The government respectfully submits this letter at the direction of Your Honor's courtroom deputy to enclose an executed copy of a cooperation agreement pertaining to defendant Francis Smookler in the above-captioned case. Given the nature of this agreement, the government respectfully requests that this letter and the enclosed agreement be filed under seal. See, e.g., United States v. Amodeo, 44 F.3d 141, 147 (2d Cir. 1995) (need to protect the integrity of an ongoing investigation, including the safety of witnesses and law enforcement personnel, may be compelling reason justifying

sealing). Under these circumstances, the government's interest in protecting the defendant's safety outweigh the public's qualified right to access.

Respectfully submitted,

SETH D. DUCHARME
Acting United States Attorney

By: /s/
Lindsay K. Gerdes
Andrey Spektor
Assistant U.S. Attorneys
(718) 254-6155/6475

Encl.

cc: Kevin Keating, Esq. (by email)